

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE NETWORK ENGINES, INC.  
SECURITIES LITIGATION

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Civil Action No. 03-12529-JLT

ORDER

July 7, 2005

TAURO, J.

After the Further Conference held on July 5, 2005, this court hereby orders that:

1. Lead Plaintiffs' Assented To Motion for an Extension of Time to Exchange Initial Disclosures in Accordance with Local Rule 26.2(a) and Sworn Statements in Accordance with Local Rule 26.1(b) [#54] is ALLOWED;
2. The Parties may take the depositions listed in Lead Plaintiffs' List of Likely Deponents [#57] and Defendants' List of Deponents;
3. The Proposed Discovery Plan and Proposed Schedule for Filing of Motions set forth in the Parties' Joint Statement Pursuant to Local Rule 16.1(d) [#55] is AUTHORIZED;
4. No additional discovery will be permitted without leave of this court;
5. The Parties shall conduct the settlement efforts discussed in open court by October 5, 2005; and
6. A Further Conference will be held on October 11, 2005 at 12:00 p.m., at which time the Parties shall report to this court the results of the abovementioned settlement efforts.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge